

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

In The Matter Of:

ACE BLACK RANCHES, LLP  
Parcel Numbers: RP06S06E305700,  
RP06S05E254820, RP06S05E254810,  
RP06S05E360001, RP06S06E312400,  
RP06S06E301450, RP06S06E301211 and  
RP06S06E301211

28892 Hot Springs Road in Bruneau, Idaho.

No. *1:21-MJ-00537-CWD*

**ADMINISTRATIVE WARRANT FOR  
ENTRY AND INSPECTION PURSUANT  
TO 33 U.S.C. § 1318**

TO: Any Officer, Employee, or Authorized Representative of the **U.S. ENVIRONMENTAL PROTECTION AGENCY**, and Any Other Accompanying Federal, State, or County Officer.

Application having been made and the Court having found that there is good and sufficient cause to permit entry for inspection and investigation of:

**ACE BLACK RANCHES, LLP**, 28892 Hot Springs Road, Bruneau, Idaho, including Parcel Numbers: RP06S06E305700, RP06S05E254820, RP06S05E254810, RP06S05E360001, RP06S06E312400, RP06S06E301450, RP06S06E301211, and RP06S06E301211) ("the Site").

IT IS HEREBY ORDERED that pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 ( hereinafter referred to as the CWA), YOU and/or OTHER DESIGNATED REPRESENTATIVES of the U.S. Environmental Protection Agency, ARE AUTHORIZED to:

1. Enter the Site during reasonable business hours or at other reasonable times and remain on and return to the Site during reasonable business

**ADMINISTRATIVE WARRANT (ACE BLACK RANCHES) - 1**

hours or at other reasonable times until said inspection is completed in accordance with this Administrative Warrant;

2. To inspect and obtain samples from the soils, surfaces, or materials at or within the Site;
3. To question privately any, owner, operator, agent, or employee of Ace Black Ranches, LLP; and
4. To take photographs relating to Site conditions.

If EPA obtains any samples, before leaving the Site it shall give to the owner, operator, tenant, or other person in charge of the place from which the samples were obtained a receipt describing the sample obtained and, if requested, a portion of each such sample. A copy of the results of any analysis made of such samples shall be furnished promptly to the owner, operator, tenant, or other person in charge, if such person can be located.

The inspection activities shall begin as soon as practicable after issuance of this warrant, and shall be conducted in a reasonable manner and reasonable length of time, including over multiple days as necessary, to enable EPA representatives to complete satisfactorily those actions authorized by this warrant but in no event longer than forty-five (45) calendar days from the date hereof (unless the warrant is renewed or extended).


EPA is authorized to bring to the Site and to utilize whatever equipment, machinery, or other tools are necessary to conduct the inspection.

The United States Marshal, or any state and/or local law enforcement official, is hereby authorized to assist EPA in such manner as may be reasonably necessary and appropriate to execute this warrant and all the provisions contained herein, including: entering the Site to observe the EPA's execution of this warrant; keeping the peace during the execution of this warrant; using reasonable force to assist EPA in entering, gaining access to and/or inspecting the

Site in the event that it is met with any unlawful resistance or obstruction during the execution of this warrant; entering the Site pursuant to the terms of this warrant with or without the consent of the owner(s); and forcibly ejecting from the Site and/or arresting any persons who obstruct the peaceable execution of this warrant pursuant to 28 U.S.C. §§ 561, *et seq.* or comparable state law.

A return shall be made to this Court showing that the inspection has been completed within fifteen (15) days after completion thereof.

DATED this 20<sup>th</sup> day of May, 2021.

  
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United States Magistrate Judge  
Candy W. Dale

PRESENTED BY:

/s/ Nicholas J. Woychick  
Nicholas J. Woychick  
Assistant United States Attorney  
U.S. Attorney's Office  
District of Idaho